

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION**

HIGHT INVESTMENTS, LLC d/b/a)	
JOHNNY ON THE SPOT and)	
STEVE HIGHT)	
Plaintiffs,)	
v.)	Civil Action No:
WESTFIELD INSURANCE)	
COMPANY,)	
Defendant.)	

NOTICE OF REMOVAL

NOW COMES Defendant, WESTFIELD INSURANCE COMPANY
("Westfield"), and pursuant to 28 U.S.C. 1446 gives notice as follows:

1.

Westfield is the Defendant in a civil action brought in State Court of Carroll County, State of Georgia, which is within the Newnan Division of the United States District Court for the Northern District of Georgia.

2.

Plaintiffs and all members of the Hight Investments, LLC are residents and citizens of the State of Georgia as they were at the commencement of said Civil Action, and as they have been thereafter.

3.

Defendant is a corporation organized and existing under the laws of the State of Ohio with its principal place of business in the State of Ohio, as it was at the commencement of the said Civil Action and as it has been thereafter, and at no time has it been organized and existing under the laws of the State of Georgia, nor at any time has its principal place of business been located in the State of Georgia.

4.

This case is a suit for the alleged breach of an insurance contract, seeking damages in the amount of One Hundred Six Thousand Seven Hundred Thirty-Two Dollars and 61/100, (\$106,732.61), which amount exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs.

5.

Defendant shows that the amount in controversy in this case exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs, and is wholly between citizens of different states. This Court thus has original jurisdiction under 28 U.S.C. 1332 and, accordingly, this case may be removed to this Court pursuant to 28 U.S.C. 1441(a).

6.

Defendant shows that this case was filed on December 5, 2013, in the State Court of Carroll County, State of Georgia, and served on Defendant Westfield on

December 6, 2013, and Defendant shows that this Notice of Removal is filed within thirty (30) days from the date of service on Defendant.

7.

Defendant attaches hereto copies of the entire record in State Court of Carroll County, State of Georgia as served upon Defendant.

8.

Defendant has given written notice of the filing of this Notice to the Plaintiff by notifying their attorneys of record, Thomas E. Greer and Jon Greer of Greer Jackson Tisinder, LLC. Defendant has filed a written notice with the Clerk of State Court of Carroll County, State of Georgia, a copy of which is attached.

9.

The undersigned has read this Notice of Removal, and to the best of the undersigned's knowledge, information and belief, formed after reasonable inquiry, it is well-grounded in fact and is warranted by existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

Respectfully submitted,

DREW, ECKL & FARNHAM, LLP

/s/ Paul W. Burke

Paul W. Burke
Georgia Bar No. 095642

/s/ Eric R. Mull

Eric R. Mull

Georgia Bar No. 556860

Attorneys for Defendant Westfield

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04801-087621

CERTIFICATE OF SERVICE

I hereby certify that I have this day served attorney for the plaintiff with the foregoing **Notice of Removal** by depositing a copy of same in the U. S. Mail, postage prepaid, addressed as follows:

Thomas E. Greer
Jon Greer
Greer Jackson Tisinger, LLC
210 South Street
Carrollton, GA 30117
jon@greerjacksonlaw.com
tommy@greerjacksonlaw.com

This 3rd day of January, 2014.

/s/Paul W. Burke

Paul W. Burke
Georgia Bar No. 095642

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Counsel for Defendant certifies that this pleading complies with Local Rule 7.1D.